

REMARKS

The Amendments

The claims are amended to recite that the anticholinergic component is specified to glycopyrronium bromide.

Applicants reserve the right to file one or more continuing and/or divisional applications directed to any subject matter disclosed in the application which has been canceled by any of the above amendments.

The Rejection under 35 U.S.C. §102

The rejection of claims 1-10 under 35 U.S.C. §102(e) as being anticipated by Hochrainer (U.S. Patent No. 6,481,435) is respectfully traversed.

Hochrainer is directed to an apparatus for storage of active substances for use in nebulizers. Hochrainer also discusses examples of compositions for which the described apparatus can be used at cols. 5-6.

Hochrainer, however, fails to disclose or suggest a composition containing glycopyrronium bromide. Therefore, it obviously also fails to disclose or suggest a composition containing glycopyrronium bromide and one of the betamimetics recited in the instant claims.

Since Hochrainer fails to disclose any embodiment meeting all the elements of the instant claims, there is no anticipation and the rejection under 35 U.S.C. §102 should be withdrawn. Hochrainer also fails to give any suggestion to compositions containing glycopyrronium bromide, thus, it also does not support an obviousness rejection under 35 U.S.C. §103.

It is additionally noted that the 35 U.S.C. §102(e) effective date of Hochrainer is after

applicants' claimed priority date.

The Rejections under 35 U.S.C. §103

The rejections of the claims under 35 U.S.C. §103 as being obvious over Gross (*J.Respir.Dis.*), Gross in view of Barnes (*Review*), Rees (*Eur.Respir.Mon.*), Rees in view of Barnes, and Barnes (or any combination of these articles), is respectfully traversed.

Gross teaches the use of ipratropium for COPD management. It also suggests the use of β -agonists as an alternative and mentions some specific ones, including salmeterol. It also discloses tiotropium as an alternative anticholinergic. As stated in the Office action, Gross fails to disclose any specific combination which combines the compounds of the previously claimed invention.

Barnes provides a review of drugs for having potential for treating COPD. Barnes particularly discussed tiotropium bromide as an anticholinergic having potential and indicates the anticholinergics are more effective than β -agonists.

Rees provides an assessment of a number of bronchodilators for treating COPD. Rees generally includes anticholinergics and β -agonists as possible bronchodilators for such use.

None of Gross, Barnes and Rees provide any disclosure or suggestion of a composition containing glycopyrronium bromide. Therefore, each of these references obviously also fails to disclose or suggest a composition containing glycopyrronium bromide and one of the betamimetics recited in the instant claims. Since none of the references provide any teaching at all directed to glycopyrronium bromide, any combination of these references also would provide no teaching to suggest a composition containing glycopyrronium bromide, particularly, a

composition combining glycopyrronium bromide and one of the betamimetics as recited in the instant claims.

For the above reasons, it is urged that the cited prior art, considered as a whole in any combination, fails to render the claimed invention obvious to one of ordinary skill in the art. Thus, the several rejections under 35 U.S.C. §103 based on these references should be withdrawn.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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